

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

**JESSICA MELENDEZ-CARRILLO,**

Individually and on behalf of others  
similarly situated,  
Plaintiff(s),

v.

EP-16-CV-00472-DCG

TENET HOSPITALS LIMITED D/B/A  
PROVIDENCE MEMORIAL HOSPITAL,  
NOW KNOWN AS THE HOSPITALS OF  
PROVIDENCE, PASO DEL NORTE  
HEALTH FOUNDATION, and  
ESPERANZA “ESPY” MARTINEZ,  
Defendants.

**PLAINTIFFS’ NOTICE OF NONSUIT WITHOUT PREJUDICE PURSUANT  
TO TEXAS CIVIL PRACTICE AND REMEDIES CODE ANNOTATED § 74.351  
OR IN THE ALTERNATIVE MOTION TO DISMISS**

COME NOW, Plaintiffs, Jessica Melendez-Carrillo, Individually and on behalf of others similarly situated, and hereby give notice to this Court and to all parties to this suit that they are taking a nonsuit without prejudice of all of their claims and causes of action against the Defendants, Tenet Hospitals Limited, a Texas Limited Partnership, d/b/a Providence Memorial Hospital (hereinafter "Defendant" and “Providence Memorial Hospital”), Paso Del Norte Health Foundation, Esperanza Martinez, effective immediately upon the filing of this Notice of Non-Suit without prejudice Pursuant to Texas Civil and Practice Remedies Code Annotated §74.351 or in the Alternative, Plaintiffs file this, their Motion to Dismiss without Prejudice.

**SIGNED** on this 17th day of January 2017.

Respectfully submitted,

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By: 

**ENRIQUE CHAVEZ, JR.**

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Attorney for Plaintiffs

*for*

**CERTIFICATE OF CONFERENCE**

Prior to filing this motion, Plaintiffs' counsel conferred with Defendant's counsel as to whether Defendant's counsel opposed the relief sought in the instant motion. Defendant's counsel indicated they could not advise whether they are opposed to the motion.

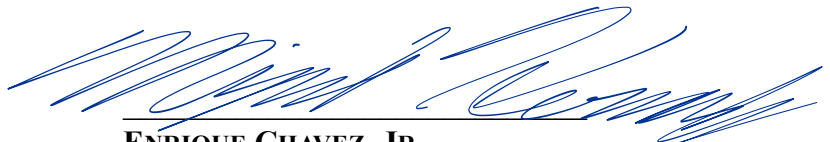
  
**MIGUEL HERNANDEZ**

### CERTIFICATE OF SERVICE

This is to certify that on January 17, 2017, I electronically filed the foregoing document with the clerk of the court for the United States District Court, Western District of Texas, using the court's electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorney's of record who have consented in writing to accept that Notice as service of this document by electronic means:

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